IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5813 OF 2005

Office Note, Office Memoranda appearance, orders and	Court's or Judge's Orders of or Registrar's	Coram Corut's directions Orders:

Mr. M.B.Gawade, for the Petitioner
Mr. C.R.Sonawane, AGP for Respondent No.1.

CORAM: F.I. REBELLO &
MRS. R.S.DALVI, JJ.
DATE : 9TH DECEMBER, 2005

P.C.

. The grievance of the petitioner was that though he is eligible and in the list of approved contractors, the respondents have not formulated any guidelines for calling tenders. Pursuant to that learned AGP was asked to take instructions. The learned AGP places on record letter dated 7th December, 2005 of the Incharge Deputy Director of Sports and Youth Service, Mumbai/Nashik Division, Mumbai. The letter is taken on record. In that letter it is stated that the Director has sought four months to frame rules which will be subject to the approval of the Government of Maharashtara. Hence time of four months is granted to frame the Rules. On such framing Rules the State of Maharashtra on being forwarded to finalise the same within three months thereafter.

2. The letter also indicates that if Rules are framed and approved the petitioner can participate if entitled as per the

prevailing practice of Sports Department in the open tender. In other words if open tenders are invited the petitioner will be entitled to participate.

3. The petitioner makes a grievance that there are limited tenders invited in which case the petitioner and similarly situated are not invited. The limited tender can be invited in terms of G.R. existing. There cannot be tender beyond what is set out in the G.R.. If the petitioner is eligible and if his name is included the petitioner would also be entitled to participate like any other person who is eligible. All that we can say is that the respondents are bound in case of limited tenders to see to it that the limited tenders are invited in terms of the Government Resolutions and/or rules which are in force.

. With the above observation petition stands disposed of.

(**F.I. REBELLO, J.**)

(**MRS.R.S. DALVI,J.**)